

Exhibit 10

Motion to Dismiss

ORDER

Submitted By: Nancy Kramer (On behalf of the arbitration panel)

Submitted Date: 01/29/2024 10:07:23 AM EST

Case ID & Parties:

FINRA Dispute Resolution Services

ORDER

Case Number: 23-02187

In the Matter of the Arbitration Between

Claimant(s)

VS

Respondent(s)

Rocco Guidici Pietro

Jamie Della Polla

PREHEARING CONFERENCE

1. Was a prehearing conference held in the above captioned matter?

☐ Yes

☒ **No**

ISSUES ADDRESSED

2. Issues addressed: (i.e., name of motion or request, by which party)

☒ **The following pleadings have been addressed:**

Respondent Motion to stay arbitration pending complaint filed in Federal court to challenge FINRA arbitration. Complainant responded with an Opposition to the Motion.

ORDER DECIDED BY

3. Decided by:

☐ Chairperson

☒ **Panel**

RULINGS

4. Rulings:

☒ **After considering the pleadings submitted by the parties (and oral arguments, if prehearing conference held), the Panel/Chairperson rules as follows:**

***The Motion is denied--the Arbitration hearing will be held.
FINRA is requested to poll the parties and panel for a hearing schedule.***

5. Order compliance date:

- ☐ The parties should comply with this order by _____
- ☒ **Not applicable**

ASSESSMENT OF FEES

6. Cost of prehearing conference:

- ☒ **If the parties settle this matter with no further hearings, the forum fees for this prehearing conference (or discovery-related motion decided without a prehearing conference) are assessed as follows:**

25% to Claimant(s), jointly and severally

75% to Respondent(s), jointly and severally

_____ % assessed to _____

_____ % assessed to _____

_____ % assessed to _____

_____ % assessed to _____

- ☐ Not applicable

ATTACHMENTS

There are no attached documents.